

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

EDDIE GUZMAN,

Plaintiff,

v.

Case No. 20-CV-03-SCD

**ANDREW M. SAUL,
Commissioner of Social Security,**

Defendant.

ORDER AWARDING ATTORNEY'S FEES

Eddie Guzman filed this action on January 2, 2020, seeking judicial review under the Social Security Act, 42 U.S.C. § 405(g), of the final decision of the Commissioner of Social Security denying her application for social security benefits. ECF No. 1. The matter was reassigned to me after the parties consented to magistrate-judge jurisdiction under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73(b). *See* ECF Nos. 12, 13. On August 3, 2020, I issued a decision approving the parties' stipulation to remand the petition for further proceedings pursuant to sentence four of § 405(g). *See* ECF No. 21. Judgment was entered that same day. *See* ECF No. 22. Thereafter, on September 3, 2020, the parties filed a stipulation pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, for \$5,000 in attorney fees, see ECF No. 23, which I approved the next day, see ECF No. 24.

After granting judgment favorable to a claimant, "the court may determine and allow as part of its judgment a reasonable fee for such representation, not in excess of 25 percent of the total of the past-due benefits to which the claimant is entitled by reason of such judgment."

42 U.S.C. § 406(b)(1)(A). In turn, the Commissioner may “certify the amount of such fee for payment to such attorney out of, and in addition to, the amount of such-due benefits.” *Id.*

After offsetting the fee amount by the \$5,000 previously awarded, Guzman requests that the Court instruct the Commissioner to direct payment to Guzman’s counsel in the amount of \$4,185.00. The Commissioner does not oppose this request. Guzman’s motion for attorneys’ fees is therefore granted. The fee award of \$4,185 is approved.

SO ORDERED this 26th day of April, 2021.



STEPHEN C. DRIES
United States Magistrate Judge